

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

HEATHER FRANK,

Defendant.

8:17CR59

ORDER

This matter is before the court on defendant's unopposed Motion to Continue Trial [22] as counsel needs additional time to explore plea negotiations. Counsel also indicates that he is scheduled to appear before the 8th Circuit Court of Appeals on May 10, 2017. Defendant's counsel represents that defendant consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [22] is granted as follows:

1. The jury trial now set for May 8, 2017 is continued to June 19, 2017.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between today's date and June 19, 2017, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 2nd day of May, 2017.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge